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BEFORE THE

Federal Communications Commission

WASHINGTON, D. C. 20554

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OCT - 2 1989

In the Matter of

REQUEST OF A. C. NIELSEN COMPANY
FOR PERMISSIVE AUTHORITY TO USE
LINE 22 OF THE ACTIVE PORTION OF
THE TELEVISION BROADCAST VIDEO
SIGNAL FOR TRANSMITTING ENCODED
PROGRAM IDENTIFICATION INFORMATION.

DA 89-1060

Federal Communications Commission
Office of the Secretary

DOCKET FILE COPY ORIGINAL

To: The Commission

REPLY COMMENTS OF AIRTRAX

Airtrax, a General Partnership
organized under the laws of
the State of California

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Summary

Although A. C. Nielsen Company has changed its representations to the Commission concerning the nature of its intended Automated Measurement of Lineups service offering--from a service that would not be directly competitive with the services of existing Line 22 users to one that would--the comments and letters filed in this proceeding reflect a desire that both AMOL and the alternative commercial advertisement verification services currently resident on Line 22 continue to co-exist with each other.

One strategy for such co-existence that is capable of relatively near-term implementation contemplates that AMOL codes would be temporarily placed on Line 23 or elsewhere in the active video (other than on Line 22), and would then be removed from the active video and placed on to Line 20 of the Vertical Blanking Interval at a point in the program transmission sequence after the point at which the VBI has been "stripped" by certain television stations.

Longer-term strategies, which envision a formal Commission inquiry and/or rule making proceeding to establish standards of general applicability for the future use of Line 22, may be able to take advantage of state-of-the-art technology to permit all encoding services to operate on Line

22, without incurring the risk that one party's codes would be overwritten by another party's codes.

That longer-term strategy cannot be immediately implemented, however, due to the fact that AMOL encoding equipment currently in service is not state-of-the-art and was not designed to foster spectrum-economical line sharing between AMOL and other services.

Nielsen's appeal to the Commission to let the "marketplace" choose a preferred Line 22 service provider fails, due to the absence of a genuine marketplace. Given Nielsen's unique position as the sole source of national television program ratings, and given AMOL's uniquely-favored role in the derivation of those ratings, Nielsen's offering of AMOL is not subject to conventional consumer stimuli.

Finally, due to the concerns raised by Nielsen's Line 22 authorization request that are unique to Nielsen and to AMOL, the procedures and standards developed by the Commission in the context of previous Line 22 authorization requests are not germane to the Commission's obligation to resolve the novel legal and policy issues presented by Nielsen's request.

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To: The Commission

Airtrax ("Airtrax"), a general partnership organized under the laws of the State of California, by its undersigned communications legal counsel, hereby respectfully submits these Reply Comments with respect to various letters and opening comments submitted by other parties in response to the Commission's *Public Notice*, DA 89-1060, released on September 1, 1989, entitled, "A. C. Nielsen Company Requests FCC Approval to Move its Automated Measurement of Lineup System ("AMOL") from Line 20 in the Vertical Blanking Interval to Line 22 of the Active Television Video Signal" (the "*Public Notice*").

**Ensuring the Ability of Both AMOL and the Alternative
Commercial Advertisement Verification Services to Co-Exist
Is a Paramount Objective**

1. The letters and opening comments of several parties underscore the central premise of Airtrax's own Comments in Response to Commission Public Notice, filed with the Commission in this proceeding on September 22, 1989 (the "Airtrax Comments"). That premise is that the Commission's paramount objective in this proceeding must be to ensure that the Automated Measurement of Lineups ("AMOL") service offered by A. C. Nielsen Company ("Nielsen"), and alternative television commercial advertisement verification services offered by other parties, such as Airtrax and VidCode Incorporated ("VidCode"), may continue to co-exist.

2. For example, The Procter & Gamble Company of Cincinnati, Ohio ("P&G"), one of America's leading national television advertisers, in a letter to a Nielsen officer that Nielsen itself has placed into the record of this proceeding, ^{1/} expressed its view that

. . . Nielsen is the only company in the
U.S. with staff and technical expertise
currently in place to provide national

^{1/} See letter to the Commission's Secretary from Grier C. Raclin, Esquire, Nielsen's communications legal counsel, dated September 22, 1989.

syndicated program ratings. Airtrax is offering a substantially different service which is that of monitoring a correct airing of individual brand commercials. Both functions can meet the industry's diverse needs. We understand that line 22 can be technically used by one service without foreclosing it to another service. (Emphasis supplied.) ^{2/}

3. To like effect is a letter dated September 20, 1989 to the outgoing Chief of the Commission's Mass Media Bureau, Alex D. Felker, from E. & J. Gallo Winery of Modesto, California ("Gallo"), another active television advertiser. As is the case with P&G in the above-quoted passage, Gallo originally understood that both AMOL and alternative commercial advertisement verification services such as those offered by Airtrax and VidCode can co-exist on Line 22. ^{3/} See letter to Mr. Felker from Sue McClelland, Vice President-Media for Gallo, dated September 18, 1989 ("[w]e support the position that Nielsen be allowed to 'co-exist' on line 22, . . .").

^{2/} Letter to John Dimling, Executive Vice President of Nielsen Media Research, from E. R. Plowden, Assistant Director of Media for P&G, dated September 20, 1989, at page 2.

^{3/} The ability of AMOL and the alternative commercial advertisement verification services to co-exist on Line 22 is discussed at Paras. 20 to 28, *infra*, inclusive.

4. Upon subsequently obtaining information that ". . . it is not technically possible for Nielsen and the current user of line 22 to both encode on that line," Ms. McClelland's follow-up letter to Mr. Felker, dated September 20, 1989, stated:

As an advertiser, I need BOTH accurate ratings and verification that a program and my commercials have run.

(Emphasis in original.)

**Nielsen's Inconsistent Representations Have Made More
Difficult the Process of Developing a Strategy for the
Co-Existence of AMOL and the Alternative Commercial
Advertisement Verification Services**

5. Unfortunately, the search for a strategy whereby both AMOL service for syndicated national television programming and the alternative commercial advertisement verification services can co-exist has been rendered more difficult by inconsistent representations that Nielsen has made to the Commission in the course of this proceeding.

6. Nielsen's own portrayal of the AMOL service that it seeks to provide on Line 22 of the active portion of the television broadcast video signal has undergone a significant transformation in the space of a single month. In its August 21, 1989 Reply to Opposition to Request in this proceeding (the "Reply"), Nielsen informed the Commission that Nielsen did not

believe that its AMOL program identification service for syndicated television programs was competitive with Airtrax's commercial advertisement verification service:

In any case, even if Nielsen's and Airtrax's services were competitive (which they are not insofar as Nielsen uses its SID Codes for its national ratings and Airtrax uses its Codes for its commercial transmission verification service),

Reply, page 15, footnote 16.

7. In its Comments filed in this proceeding on September 22, 1989--barely a month after the filing of its Reply--Nielsen discloses, at page 8, that ". . . syndicators desire to encode the commercials contained in the programs with AMOL Codes along with the programs themselves. . . ." and that Nielsen intends to offer such a commercial advertisement verification service on Line 22. Such a service would bring AMOL into direct competition with Airtrax and VidCode.

8. The Commission is rightfully entitled to ask how relief for Nielsen can be fashioned in this proceeding, when Nielsen changes its own definition of its proposed service offering within such a brief passage of time. Airtrax and many of the commenting parties whose letters to the Commission have supported the principle of co-existence of AMOL with the alternative commercial advertisement verification services

have been affirmatively led by Nielsen to believe that AMOL is not intended to be directly competitive with, but rather complementary to, those alternative services. See Reply, *supra*, at page 15, footnote 16. The Commission has also been given to believe such representations. *Id.* Now, it turns out that those representations were not factual.

9. Nielsen's disturbing shift in its representations to the Commission, while perhaps perceived by Nielsen as having some short-term strategic benefit in this proceeding, should inspire little confidence on the part of the Commission. As an applicant for an authorization to use Line 22, Nielsen must make an affirmative showing of its qualifications to hold that authorization. Implicit in that showing is the Commission's legitimate expectation of a modicum of candor and internal consistency from the applicant. Regrettably, Nielsen has demonstrated basic disregard for these principles, making the Commission's resolution of this matter all the more difficult. ^{4/}

^{4/} The fact that Nielsen attempted, prior to September 22, 1989, to secure the Commission's authorization to move its AMOL service for syndicated television programming to Line 22, under the guise that such a move would not be competitive with the services offered by Airtrax and VidCode, whereas Nielsen now admits that it intends to be directly competitive with Airtrax and VidCode, lends credibility to the concerns expressed in VidCode's Comments, to the effect that Nielsen's entire undertaking in this proceeding is motivated by darker, predatory objectives. See Comments of VidCode Incorporated in

(Footnote continued on next page)

**Examination of Strategies for Preserving the Ability of AMOL
and the Alternative Commercial Advertisement Verification
Services to Co-Exist**

10. Retaining AMOL on Line 20 of the Vertical Blanking Interval. Airtrax's Comments strongly urged the Commission, before examining any of the more disruptive strategies for preserving the ability of AMOL and the Airtrax/VidCode-type services to co-exist, to require a more complete, factually-based showing from Nielsen in support of Nielsen's allegations that its AMOL service for syndicated national television programming cannot practicably be made to work where it currently resides, *i.e.*, on Line 20 of the Vertical Blanking Interval (the "VBI"). See Airtrax Comments, at pages 18-20, inclusive.

11. The comments of other parties echo Airtrax's concerns. In its Comments, for example, The Arbitron Company ("Arbitron") suggests, at page 2, that

. . . a key motivating factor [in Nielsen's alleged inability to eliminate AMOL's difficulties with respect to the use of Line 20 for syndicated programs] may be the private cost savings involved in continuing to use old technology, rather than actual technical constraints in the use of v.b.i. and active signal lines.

(Footnote continued from previous page)

Response to Commission Public Notice, filed on September 22, 1989, at pp. 6-8, inclusive.

12. It is surely not the Commission's obligation to find a way to spare Nielsen the capital cost of bringing its fifteen-year-old Line 20 AMOL technology up to current, state-of-the-art capability, particularly where Nielsen proposes to retain its *de facto* exclusive use of Line 20 while simultaneously seeking to occupy Line 22 under circumstances that threaten to pre-empt the existing alternative commercial advertisement verification services now resident on Line 22. Airtrax aligns itself with Arbitron's Comments in that regard.

13. Of particular interest in this connection are the Comments of National Broadcasting Company, Inc. ("NBC"), filed on September 22, 1989. NBC has suggested a means whereby Nielsen's AMOL codes included on Line 20 within syndicated programming may survive the pre-broadcast taping, editing, and playback of such programming by certain television stations that Nielsen claims currently cause the codes to be "stripped" from the VBI.

14. NBC's Comments specifically offer the following:

. . . we have reason to believe that there may be other, relatively inexpensive technical means of solving the only problem raised by Nielsen in justification of its desire to use line 22. For example, stations whose equipment automatically strips the VBI could use a converter box that would transfer Nielsen's line 20 information to line 22 of the videotape

of the program as it is recorded and then transfer the information back to line 20 on playback for broadcast.

NBC Comments, at pages 5-6 (footnote omitted).

15. NBC's Comments suggest an entirely new strategy for allowing AMOL for syndicated programs to remain on Line 20, without undergoing the risk of being stripped. Although shifting AMOL codes from Line 20 to Line 22, as specifically proposed by NBC, would cause Airtrax or VidCode codes on Line 22 to be overwritten and therefore would not serve the purpose of preserving co-existence, the concept of temporarily housing AMOL within active video in the station environment, and then shifting AMOL from active video to the VBI immediately prior to over-the-air broadcast, holds promise. See Paragraph 19, *infra*. Before pursuing any of the other strategies for allowing AMOL and the alternative commercial advertisement verification services to co-exist, the Commission should explore this possibility and any variations on this possibility that may prove useful.

16. Placement of AMOL Codes for Syndicated Programs on Line 23 of the Active Video on a Trial Basis. Airtrax's Comments, at pages 21 through 23, inclusive, discussed the possibility of granting to Nielsen a special temporary authorization ("STA") to place AMOL codes for syndicated

television programs on Line 23 of the active television broadcast video signal. If resident within the active video, the AMOL codes would survive the pre-broadcast taping, editing, and playback processing that is currently causing, according to Nielsen, some television stations to strip the AMOL codes from the VBI of syndicated television program videotapes. Airtrax's Comments acknowledged that the use of an additional line of active video could cause concern on the part of broadcasting stations about the possible degradation of the television picture, but suggested that a condition be imposed upon Nielsen's Line 23 STA that such degradation not be allowed to occur.

17. The comments of broadcasting station representatives in this proceeding reflect their concern that Nielsen's request to move its AMOL codes for syndicated programs to Line 22 may trigger a demand for authorizations to use additional lines of active video. *See, e.g.,* the Comments of the National Association of Broadcasters ("NAB"), filed on September 22, 1989; Comments of the Public Broadcasting Service ("PBS"), also filed on September 22, 1989.

18. Airtrax is not unsympathetic to the concerns expressed by NAB, PBS, and others. On the other hand, NBC's Comments give rise to a possible method whereby AMOL codes can

be placed temporarily on Line 23, without doing violence to the broadcasters' concerns regarding the ultimate visibility of such codes by television viewers.

19. AMOL codes could be inserted on to Line 23 of the active video (or another line, other than Line 22) of a syndicated television program videotape, at the time that the program tape is assembled. The AMOL codes, thus inserted within the active video of the tape, would by-pass the VBI stripping phenomenon that Nielsen alleges currently occurs at certain television stations. A converter box installed at the final stage immediately prior to over-the-air broadcast transmission would remove the AMOL codes from Line 23, leaving that line either black or to be filled with Line 24 program content (either of which circumstance would not be perceptible by the average television viewer), and would place those AMOL codes on Line 20, where they could then be detected by Nielsen's AMOL decoders that are already in place.

20. Interval Coding on Line 22. Airtrax's Comments in this proceeding included a lengthy discussion of a possible strategy for enabling both the alternative commercial advertisement verification services and AMOL's service for syndicated television programs to co-exist on Line 22. That strategy, known as "interval coding," supposes that the post-production/duplication houses that are engaged in the actual

encoding of syndicated television program videotapes with either AMOL codes or the codes of Airtrax and VidCode, would refrain from "overwriting" pre-existing identification codes appearing on any portion of the program tape. For the reasons set forth in detail in Airtrax' Comments, at pages 23-28, inclusive, Airtrax deemed the interval-coding strategy to be incapable of effective implementation in today's post-production/duplication house environment, given the current state of AMOL encoder technology.

21. Subscribing to Airtrax's view on this matter is Winkler Video Associates, Inc., a post-production/duplication house located in New York, New York ("Winkler"). ^{5/} In a letter to Mr. Felker dated September 22, 1989, Robert C. Winkler, the President of Winkler, states, on page 1,

I have reviewed the requests made by the A. C. Nielsen Company to use a "INTERVAL-CODING" FOR NIELSEN ON LINE 22. My experience in dealing with such a request is that the concept is unworkable.

22. The principal problem with the short-term implementation of the interval-coding strategy is the fact that the majority of post-production/duplication houses that are

^{5/} To the best of Airtrax's knowledge, Winkler is the only post-production/duplication house to have expressed its views concerning the practicality of the interval coding strategy on the record of this proceeding.

engaged in the business of inserting AMOL codes on to syndicated television program videotapes use AMOL encoding equipment that is technologically out of date. At the time that this equipment was originally designed by (or in consultation with) Nielsen and deployed among the post-production/duplication houses, Nielsen did not have the intention that AMOL codes would have to share Line 20 with any other codes. As a consequence, most of the AMOL encoders that are currently used by post-production/duplication houses are dedicated simply to laying down AMOL codes along the entire length of a program videotape, and do not have the level of intelligence or programmability that would enable them to refrain from laying AMOL codes down on a tape when previously-inserted codes of another service are present.

23. Nielsen's Comments, at page 18, footnote 19, allude to

. . . available technology that would
"shut off" the second encoder whenever it
sensed the presence of the other codes.

Airtrax understands that high-intelligence encoding equipment is now capable of being designed and manufactured with microprocessor-based logic that will enable an encoder to "read before writing," *i.e.*, to detect the presence of pre-existing

codes on a videotape and to refrain from laying down new codes over those pre-existing codes. ^{6/}

24. As a long-term solution to the problem presented in this proceeding, the interval-coding strategy holds promise. If successfully implemented, interval coding would enable Nielsen, Airtrax, VidCode, and all other encoding services to occupy Line 22 in harmony with each other, by respecting each other's contractual arrangements with program syndicators and commercial advertisers and avoiding the overwriting of previously-inserted codes of other parties whose presence on a portion of the program videotape was specifically bargained for

^{6/} In fact, Airtrax's own encoding equipment incorporates some of this "read-before-writing" capability. Airtrax's technology permits Airtrax-encoded commercial advertisements to be identified according to several different characteristics. These differing characteristics are identified by different levels of the Airtrax codes. In the process of inserting a secondary level of identification codes, the Airtrax encoders are capable of determining the presence on the videotape of previously-inserted primary-level identification codes.

On the other hand, because AMOL codes do not differentiate between program content and commercial-advertisement content, in a situation where Airtrax codes are inserted after AMOL codes have been inserted, the "read-before-writing" feature could cause Airtrax encoders to refrain from encoding commercial advertisements that were intended to be Airtrax-encoded, if AMOL codes had been indiscriminately laid down over the entire tape.

Obviously, a degree of cooperation among encoding services would be necessary to avoid problems in this area.

and is expected to be protected by subsequent encoders. Moreover, if all program-encoding and advertisement-encoding services can be confined to Line 22 in harmony with each other, the Commission can allay the concerns expressed by representatives of the television broadcasting industry in this proceeding, to the effect that competing demands for the use of lines of the active television broadcast video signal must be confined and not allowed to result in visible degradation of the television picture. ^{7/}

25. The Commission may wish to adopt the suggestion offered in the Comments of the NAB that the Commission initiate a general inquiry proceeding in this area, in order to consider the promulgation of standards of general applicability for the future utilization of Line 22.^{8/} In Airtrax's view, a long-term solution may lie in the Commission's adoption of standards that would require any party seeking to insert codes on to Line 22 to make an affirmative showing that such insertion will be done in a manner that will not interfere with

^{7/} See, e.g., Comments of the NAB, at p. 9 ("[o]ur major concern in this regard is that no hard limits have been set that would protect lines 23, 24 and higher from requests similar to those currently requested of line 22").

^{8/} NAB Comments, at p. 1 ("... NAB believes the Commission should consider initiating an inquiry to explore possible limits and standards for the use of National Television Systems Committee ... active video").

the Line 22 codes of other users, e.g., "read-before-writing" interval coding. Such standards would encourage the design and deployment of state-of-the-art encoders, and would conserve spectrum by confining all encoding services to Line 22. As a proponent of a state-of-the-art technology and as a subscriber to the benefits of spectrum efficiency and harmonious co-existence of different parties' codes, Airtrax would endorse such an inquiry proceeding.

26. However, it must be emphasized that the interval-coding strategy is not one that can be implemented in the near term. As noted in Paragraphs 20-22, inclusive, *supra*, most of the AMOL encoders presently in service are not state-of-the-art and were not designed to be spectrum-efficient. They are incapable of respecting the contractual arrangements that syndicators and advertisers have made with Airtrax and with VidCode, and absent highly-precise operator intervention (which, as Airtrax's Comments show and Winkler's letter affirms, is not feasible), will simply overwrite previously-inserted Airtrax or VidCode codes. Thus, any consideration of the interval-coding strategy must be based upon deferred implementation, until such time as Nielsen can bring its AMOL encoders up to current technology.

27. Time Multiplexing on Line 22. NAB's Comments, at page 9, question whether the ". . . possibility that time multiplexing of several . . . services [such as AMOL or Airtrax] might be feasible, thus conserving available line time . . . ," has been adequately explored.

28. Airtrax's technology encodes each frame of both fields of Line 22, which generally precludes the insertion of AMOL or other codes. Airtrax's spectrum-intensive technology is so designed because of the demand by advertisers, clearly communicated to Airtrax at the time that the Airtrax system was designed, for an extremely high level of data resolution. While Airtrax's Comments do not suggest that modifications to Airtrax's system are impossible, Airtrax's Comments discuss at some length the practical and legal impediments to any short-term implementation of field-sharing or time-multiplexing solutions. See Airtrax Comments, at pages 28-30, inclusive. In any event, there seems to be some tension between the broadcasters' support for time multiplexing and their own advertisers' demand for extremely high levels of data resolution.

Nielsen's Advocacy of a "Marketplace" Solution

29. Nielsen's Comments purport to champion a regulatory scheme whereby Nielsen would be given unrestricted

authorization to encode Line 22 of syndicated television programs with AMOL codes, and the "marketplace" would then either force Nielsen, Airtrax, VidCode, and any other Line 22 user to co-exist, or in the absence of such market-demanded co-existence, would simply select one of those users to the exclusion of the others. Nielsen's Comments, at pages 15-18, inclusive.

30. The fault in this logic, well known to Nielsen, is that there is no effective "marketplace" that can freely and volitionally operate in these circumstances. As Airtrax's Comments make clear, Nielsen provides the only national television program ratings service that is currently available to networks, program syndicators, advertisers, their agencies, stations, *etc.* Airtrax Comments, at pages 2-8, inclusive.

31. A critical part of Nielsen's ratings service is the verification of broadcast station "line-ups," *i.e.*, confirmation that a particular station's broadcasts on any given day did or did not adhere to its previously-published broadcast schedule. Nielsen integrates its line-up verification data into its ratings reports, and will not accept any program verification service other than AMOL for purposes of those reports.

32. Because ratings are absolutely vital to the commercial functioning of the television advertising industry, because Nielsen provides the only national program ratings that are available, because Nielsen's AMOL is an integrated part of the Nielsen program ratings, and because Nielsen will not accept any verification service other than AMOL, Nielsen possesses a unique ability to bring about industry-wide acceptance of AMOL on Line 22, regardless of the merits of other Line 22 services in terms of spectrum efficiency, state-of-the-art technology, *etc.*

33. It is Nielsen that has the ability to influence the rest of the industry, not *vice versa*. Nielsen's unique position gives it no incentive to undertake the costs of exploring methods for ensuring spectrum-conservative compatibility on Line 22 between AMOL and other Line 22 services, or to undertake the costs of replacing AMOL's fifteen-year-old plant with more state-of-the-art technology.^{9/}

^{9/} Nielsen's Comments evince no particular enthusiasm for undertaking the ". . . significant technical investigation that would be required to address . . ." the question of rendering AMOL compatible with other Line 22 users. Nielsen Comments, at p. 15.

34. Under these circumstances, one may readily appreciate Nielsen's advocacy for Commission reliance upon the hypothetically-voluntary selection mechanism of a theoretically-free "marketplace" that is in reality non-existent. What the industry will opt for is largely within Nielsen's ability to determine, as the "pioneers" of Line 22 commercial advertisement verification services, Ad Audit, Inc. ("Ad Audit") and TeleScan, Inc. ("TeleScan"), discovered when they attempted initially to introduce their services on Line 20. See Airtrax's Comments, at pages 8-9. Nielsen's appeal to a "marketplace" regulatory approach must be rejected as inapplicable to these circumstances, at best, and disingenuous, at worst.

35. It is primarily for the foregoing reasons that Nielsen's request to use Line 22 is properly being subjected by the Commission to more formal procedures for public notice and comment than was the case in the requests for Line 22 authorizations filed by VidCode, by Airtrax, and by Airtrax's predecessor, Republic Properties, Inc. ("Republic"). Notwithstanding Nielsen's complaints in its Comments that it is being singled out for unusual procedural treatment,^{10/} the

^{10/} Nielsen Comments, at p. 2, nn. 2 & 3.

simple fact is that Nielsen is an entirely different kind of Line 22 applicant than VidCode, Republic, and Airtrax. Neither VidCode, nor Republic, nor Airtrax proposed to use both Line 20--to the practical exclusion of all other users--and Line 22--ditto--as does Nielsen. Neither VidCode, nor Republic, nor Airtrax possesses the ability to influence the television industry that Nielsen possesses. Neither VidCode, nor Republic, nor Airtrax proposed to import into Line 22 a fifteen-year-old, spectrum-inefficient technology that already was out of date at the time of the proposal, as does Nielsen.

36. As is evidenced by the outpouring of letters and comments in this proceeding,^{11/} Nielsen's request for a Line 22 authorization has triggered a considerable, industry-wide agitation that the Commission must acknowledge in resolving this matter.^{12/} That fact alone suggests that Nielsen's request is both quantitatively and qualitatively different from those of VidCode, Republic, and Airtrax, and that different procedures are therefore appropriate.

^{11/} At latest count, Airtrax has tallied a total of 84 separate filings in this proceeding.

^{12/} At least one reason for the increased level of public interest in Nielsen's request, in comparison to the prior requests of VidCode, Republic, and Airtrax, is the perception on the part of many commentators that a greater demand for uses of the active video exists in 1989 than existed in earlier years.